

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**SIMPLY SNACKIN, INC. and
JASON ISANBERG,** : **Civil No. 1:17-CV-0381**

Plaintiffs, :

v. :

**S-L DISTRIBUTORS and
SNYDER'S-LANCE,** : **Judge Sylvia H. Rambo**

Defendant. :

O R D E R

In accordance with the accompanying memorandum of law, **IT IS
HEREBY ORDERED** that Defendants' motion to dismiss the amended complaint
for failure to state a claim (Doc. 52) is granted in part and denied in part as
follows:

- 1) The motion is **GRANTED WITH PREJUDICE** as to Counts I
and II as stated against Defendant Snyder's-Lance;
- 2) The motion is **DENIED** as to Counts I and II as stated against
Defendant S-L Distributors;
- 3) The motion is **GRANTED WITH PREJUDICE** as to Counts III
and IV as stated against Defendant S-L Distributors, and without
prejudice as to Defendant Snyder's-Lance.
- 4) The motion is **GRANTED WITH PREJUDICE** as to all claims
brought by Plaintiff Jason Isanberg.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: December 6, 2017